

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code.

The amendment updates references to the Code of Federal Regulations relating to payment methodology for prescription drugs. The regulations have been reorganized since the rule was last amended. The amendment does not represent a change in state policy.

This amendment does not provide for waivers in specified situations because the Department does not have the authority to waive federal regulations.

Notice of Intended Action on this amendment was published in the Iowa Administrative Bulletin on March 11, 2009, as **ARC 7627B**. The Department received no comments on the Notice of Intended Action. This amendment is identical to that published under Notice of Intended Action.

The Council on Human Services adopted this amendment on May 13, 2009.

This amendment is intended to implement Iowa Code section 249A.4.

This amendment shall become effective on July 8, 2009.

The following amendment is adopted.

Amend subrule 79.1(8) as follows:

79.1(8) Drugs. The amount of payment shall be based on several factors, subject to the upper limits in 42 CFR ~~447.331-332~~ 447.500 to 447.520 as amended to ~~April 18, 2002~~ October 7, 2008. The Medicaid program relies on information published by Medi-Span to classify drugs as brand-name or generic.

a. Effective June 25, 2005, reimbursement for covered generic prescription drugs shall be the lowest of the following, as of the date of dispensing:

(1) No change.

(2) The maximum allowable cost (MAC), defined as the upper limit for multiple source drugs established in accordance with the methodology of Centers for Medicare and Medicaid Services as described in 42 CFR ~~447.332~~ 447.514, plus the professional dispensing fee specified in paragraph "g."

(3) and (4) No change.

b. to j. No change.

[Filed 5/13/09, effective 7/8/09]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/3/09.